

**AGENDA:** January 28, 2003

**4.6**

**CATEGORY:** Consent

**DEPT.:** Community Services

**TITLE:** Street Closure, Sound Amplification,  
Festival Area Designation and Animal  
Ban for the Central Business Association-  
Sponsored Listener Party

**RECOMMENDATION**

1. Adopt A RESOLUTION TO APPROVE THE CLOSURE OF CERTAIN STREETS IN THE DOWNTOWN AREA ON WEDNESDAY, AUGUST 13, 2003, FROM 1:00 P.M. TO MID-NIGHT FOR THE CENTRAL BUSINESS ASSOCIATION-SPONSORED LISTENER PARTY, to be read in title only, further reading waived.
2. Approve the operation of a sound amplification device by the applicant between 4:30 p.m. and 8:45 p.m. on Wednesday, August 13, 2003, within the festival area, under conditions as specified.
3. Approve a festival area designation for the area of street closure.
4. Approve an animal ban for the area of festival.

**FISCAL IMPACT**

Total cost for Police, Fire, Solid Waste, Forestry and Roadway Landscape, Streets and Community Services services is \$3,825 (\$3,064 to be paid by the applicant and \$761 to be subsidized by the City, which is consistent with Council Policy K-14).

**BACKGROUND AND ANALYSIS**

The applicant is Karen Cabello, acting on behalf of the Central Business Association (CBA) in conjunction with KKSF (Attachment 2). The event will feature displays and vending of food, merchandise and alcoholic beverages in addition to live jazz music. Alcohol ticket sales will stop at 8:30 p.m., and alcohol will stop being served at 8:45 p.m. This is the 12th year that this event will be held.

### Financial Disclosure

According to the financial disclosure form submitted by the applicant (Attachment 3), in 2002, expenses for the Listener Party were \$9,727; revenue was \$12,365; and profits to the CBA were \$2,638, all of which was retained by the agency.

The nature of this event necessitates an event permit pursuant to Council Policy K-14. There will also be live, amplified entertainment at various times, necessitating a permit pursuant to City Code Section 3.17.2, subject to conditions listed herein.

### Conditions of Permit Issuance

Violation of any of the conditions listed herein will result in the revocation of permit authority by any Police Officer or authorized City representative and cessation of the event.

1. The location of any sound amplification device(s) shall be stationary and confined to a predesignated location within the festival area. This location shall be approved by the City in advance of the event.
2. Sound amplification shall be restricted to the hours of 4:30 p.m. to 8:45 p.m. on Wednesday, August 13, 2003.
3. Decibel level of the amplification shall be subject to reduction upon the request of any Police Officer.
4. Applicant shall pay for rental of public toilets, barricades and traffic control devices as deemed necessary by the City.
5. Applicant shall provide for procurement and placement of garbage dumpsters and garbage cans and for trash monitors who will ensure the area is free of debris during and after the event.
6. Applicant shall provide for proctors and monitors to facilitate order at the event. Such proctors will be responsible for providing services deemed necessary by the City, including by way of example, but not limited to, first-aid stations, lost-and-found stations, lost children stations, etc.
7. Applicant shall provide space within the festival area for any group which may wish to exercise First Amendment-protected rights.

8. Applicant shall follow all legal directions requested by any Police Officer, including the temporary or complete cessation of any or all components of the event if, in the Police Officer's judgment, the cessation is necessary to ensure the public safety.
9. Applicant shall arrange for insurance as required by the City.
10. Applicant shall contact all businesses within the affected street closure area, advise them of this event and advise them that any opposition to the event can be expressed to Council on the date this item is to be heard (Attachment 4).
11. The event producer will provide for an emergency access lane which will be a minimum of 60" wide to extend from the performance stage and terminate at Castro Street. The emergency lane will be delineated by caution tape which will be provided for by the applicant. Modifications of this emergency access lane will be at the discretion of any Police Officer.
12. Monitors will be required to maintain clearance on side of performance stage to Castro Street.
13. Applicant will provide booths that comply with fire safety regulations for all food vendors.
14. Applicant will publicize "no pets" on all promotional materials and post "no pets" signs at event.
15. Applicant shall post detour signs directing motorists around the street closures.

**ALTERNATIVE**—Denial of the event or specific components of the event.

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**PUBLIC NOTICING**

Agenda posting; notice in February issue of Central Business Association downtown newsletter.

Prepared by:

Approved by:

Michele Petersen  
Recreation Supervisor

David A. Muela  
Community Services Director

Kevin C. Duggan  
City Manager

MP/6/CAM  
207-01-28-03M^

Attachments:

1. Resolution
2. Special Event Application
3. 2002 Financial Disclosure Form
4. Public Notification Letter

CITY OF MOUNTAIN VIEW  
RESOLUTION NO.  
SERIES 2003

A RESOLUTION TO APPROVE THE CLOSURE OF CERTAIN STREETS  
IN THE DOWNTOWN AREA ON WEDNESDAY, AUGUST 13, 2003,  
FROM 1:00 P.M. TO MIDNIGHT FOR THE CENTRAL BUSINESS  
ASSOCIATION-SPONSORED LISTENER PARTY

BE IT RESOLVED that the City Council of the City of Mountain View hereby approves closure of the following streets for the Central Business Association-sponsored Listener Party on Wednesday, August 13, 2003, from 1:00 p.m. until midnight:

- Castro Street from California Street to Church Street.
- Mercy Street from Bryant Street to Hope Street.

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MP/6/RESO  
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